

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF VIRGINIA**

Norfolk Division

In re:
ANGELA BONITA SMITH,

Case No. 13-71295-FJS
Chapter 13

Debtor.

**OBJECTION TO CONFIRMATION OF PLAN
AND NOTICE OF HEARING**

COMES NOW R. Clinton Stackhouse, Jr., Chapter 13 Trustee (the "Trustee"), who objects to confirmation of the plan filed in this case. In support of this objection, the Trustee states as follows:

1. Angela Bonita Smith (the "Debtor"), filed a voluntary petition for bankruptcy under Chapter 13 of Title 11 of the United States Code with this Court on April 8, 2013 (the "Petition"). Relief was ordered.
2. On April 9, 2013, the Trustee was appointed in this case and continues to serve in that capacity.
3. On May 6, 2013, the Debtor filed her original plan (the "Plan"), which has not been confirmed by the Court.
4. Pursuant to the liquidation analysis prepared by the Trustee's office, if this case were liquidated under a Chapter 7, the unsecured creditors would be entitled to \$10,276.00 or one-hundred percent (100%) of their allowed claims, whichever amount is less, and actual total funding may have to increase in order to do so and to satisfy the requirements of 11 U.S.C. §1325(a)(4).

R. Clinton Stackhouse, Jr. VSB No. 19358
Chapter 13 Trustee
7021 Harbour View Blvd., Suite 101
Suffolk, VA 23435
(757) 333-4000 -Telephone
(757) 333-3434 - Facsimile

5. Currently, the funding under the Plan is sufficient to pay one-hundred percent (100%) of allowed unsecured claims.

6. Therefore, the Trustee seeks an order requiring that total Plan funding must remain sufficient to pay the unsecured creditors at least \$10,276.00, or a lesser amount equal to one-hundred percent (100%) of allowed unsecured claims, and funding must be increased accordingly, if necessary.

7. The Plan fails to meet the requirements set forth in 11 U.S.C. §1325.

For the foregoing reasons, the Trustee prays that confirmation of the Plan be denied.

NOTICE OF HEARING ON OBJECTION TO CONFIRMATION

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one). If you do not want the Court to deny confirmation of your Plan or if you want the Court to consider your views on the Objection, then you and your attorney must:

ATTEND THE HEARING SCHEDULED TO BE HELD:

at United States Bankruptcy Court on June 18, 2013 at 10:00 a.m.
Walter E. Hoffman United States
Courthouse - Courtroom Two
600 Granby Street
Norfolk, Virginia

to consider and act upon the Objection to Confirmation of the Plan filed by the Chapter 13 Trustee.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the Objection and may enter an order granting that relief.

R. Clinton Stackhouse, Jr.
Chapter 13 Trustee

/s/ R. Clinton Stackhouse, Jr.

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of June 2013, I will electronically file the foregoing Objection with the Clerk using the CM/ECF system, which will then send electronic notification of such filing to Steve C. Taylor, Esquire, counsel for the Debtor and that a true copy was mailed, first-class, postage prepaid to the Debtor at:

Angela Bonita Smith
6124 Brookwood Dr., Unit A
Suffolk, VA 23435

/s/ R. Clinton Stackhouse, Jr.
